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9
10 **UNITED STATES DISTRICT COURT**
11 **FOR THE EASTERN DISTRICT OF WASHINGTON**
12

13 **WILLIAM KRIGBAUM,**

14 Plaintiff,

15 vs.

16 **TRANSWORLD SYSTEMS, INC.**

17 Defendants.

) Case No.: 2:17-cv-430

) **COMPLAINT;**

) **FAIR DEBT COLLECTION PRACTICES**
) **ACT (15 U.S.C. § 1692a, *et seq.*);**

) **DEMAND FOR JURY TRIAL**
)
)
)

18 **I. INTRODUCTION**

19 1. This is an action for damages brought by an individual consumer for
20 Defendant's violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. §
21 1692, *et seq.* (hereinafter "FDCPA").
22

23 **II. JURISDICTION**

24 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. §
25 1692k(d), and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.
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27

III. PARTIES

3. Plaintiff, William Krigbaum (“Plaintiff”), is a natural person residing in Latah County, Idaho.

4. Defendant, Transworld Systems, Inc. (“Defendant”), is a corporation engaged in the business of collecting debts by use of the mails and telephone in Spokane County, Washington. Defendant regularly attempts to collect debts alleged due another.

IV. FACTUAL ALLEGATIONS

1. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

2. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

3. All activities of Defendant set out herein were undertaken in connection with the collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).

4. Within the last year, Defendant took multiple actions in an attempt to collect a debt from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

5. Calling Plaintiff’s cellular telephone with a pre-recorded voice and/or automated telephone dialing system after Plaintiff withdrew consent (47 USC § 227)(15 USC 1692c(a)(1)).

6. As a result of the aforementioned violations, Plaintiff suffered and continues

1 to suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental
2 anguish and severe emotional distress.

3
4 7. Defendant intended to cause, by means of the actions detailed above,
5 injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and
6 severe emotional distress.

7
8 8. Defendant's actions, detailed above, were undertaken with extraordinary
9 disregard of, or indifference to, known or highly probable risks to purported debtors.

10
11 9. To the extent Defendant's actions, detailed above, were carried out by an
12 employee of Defendant, that employee was acting within the scope of his or her
13 employment.

14
15 **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

16 10. Plaintiff reincorporates by reference all of the preceding paragraphs.

17
18 11. The preceding paragraphs state a *prima facie* case for Plaintiff and against
19 Defendant for violations of the FDCPA.

20
21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the
23 Defendant for the following:

24
25 A. Declaratory judgment that Defendant's conduct violated the FDCPA;

26 B. Actual damages pursuant to 15 U.S.C. 1692k;
27

28 C. Statutory damages pursuant to 15 U.S.C. § 1692k;

1 D. Costs, disbursements and reasonable attorney's fees for all successful
2 claims, and any unsuccessful claims arising out of the same transaction or occurrence as
3 the successful claims, pursuant to 15 U.S.C. § 1692k; and,

4 E. For such other and further relief as may be just and proper.
5

6 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**
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8 Dated this 21st day of December, 2017.
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